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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,111	07/11/2001	Hideaki Hijishiri	0905-0263P-SP	8200

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EXAMINER

TRAN, NHAN T

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/902,111

Applicant(s)

HIJISHIRI ET AL.

Examiner

Nhan T. Tran

Art Unit

2615

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 August 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: 9.Claim(s) rejected: 1-4 and 7.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because:

The Applicants' arguments are not persuasive. The Applicants assert that cropping is not performed to create a zoom image in the Applicants' invention (page 3 of the Remarks). However, it is clearly shown in Applicants' Figs. 1, 2 and throughout the drawings, cropping are performed to create the zoom image. Apparently, steps 23-26 in Fig. 2 and further Figs. 5, 8 & 11 describes the cropping process. Further, the Applicants argue that Doron does not record to memory a zoomed image and implication of whether interpolation is performed or not is not found in Doron. In response, the Examiner respectfully disagrees. In col. 8, lines 42-50, Doron discloses a digital zoom command is sent to CCD 15, and image capture area is cropped to create a zoom area (subset of image pixels) so that only a subset of the image pixels are stored in an available storage or recording medium. Since only a subset of the image pixels are directly recorded into the available storage or recording medium, it is seen that no interpolation is required during recording.

The Applicants further argue that one would not be motivated to combine Kaji's teachings of a zoom area designating unit with Doron to achieve Applicant's claimed invention. In response, the Examiner respectfully discharges. Both Doron and Kaji teachings are in a common field of digital zoom of digital cameras. See Kaji, col. 1, lines 50-58. Kaji is relied by the Examiner on the feature of selecting a desired area to be zoomed (Fig. 5) using a designating unit to allow the user to designate any specific area in interest for zooming that compensates the deficiency in Doron. It would enhance the zoom features in Doron by including a zoom-area designating unit as an additional zoom mode beside the existing zoom mode to allow the user to select any specific area within an image frame for zooming and recording so that only a desired object within an image frame would be recorded, thereby an effective zoom area and recording processes are realized. Therefore, one of ordinary skill in the art would recognize the advantages taught by Doron and Kaji to combine them together for enhanced zoom features in a camera.



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